IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 16849 of 2004

Between:

N. Hari Babu S/o. N. Rama Rao
Tilak Nagar, nallakunta, Hyderabad - 500 044.

... PETITIONER

AND

1 The Govt of A.P., rep. by its Prl. Secretary,
Tribal Welfare Dept., Secretariat, Hyderabad
2 The District Collector, Hyderabad District, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No.1 in not considering and suspending the operation of the orders of the District Collector, Hyderabad in proceedings No.D2/4273/2000 dt. 1.9.2004 pending disposal of the appeal as provided under Sec.7 (4) of the A.P. (SC, ST & B.Cs) Regulation of Issue of Community Certificate Act 1993 as illegal and unjust and consequently grant suspension of operation of the said orders of 2nd respondent.

Counsel for the Petitioner: MR.NOUSHAD ALI

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following:

ORDER:

Against the cancellation of the Caste Certificate issued in favour of the petitioner by the District Collector in Proceedings No.D2/4273/2000 dated 01/09/2004, petitioner preferred an appeal before the Government of Andhra Pradesh on 13-09-2004 and filed the present Writ Petition seeking suspension of the cancellation order, which is the subject matter of appeal. Without giving any breathing time to the appellate authority for passing appropriate orders on the said petition, the petitioner approached this Court.

2. The Writ Petition is devoid of merit and it is accordingly dismissed. No costs. However the first respondent is hereby directed to pass appropriate orders on the suspension petition pending appeal filed by the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

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A. **GOPAL REDDY, J**

September 20, 2004

MRR

To:

1 The Prl. Secretary to the Govt of A.P., Tribal Welfare Dept.,

Secretariat, Hyderabad

2 The District Collector, Hyderabad Distrit, Hyderabad.

3 Two C.C.s to the G.P. for Social Welfare, High Court Buildings,

Hyderabad (OUT).

4 Two C.D. Copies.